

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO:

69/92

199

T.A. NO:

DATE OF DECISION

22/1/92

Shri S.M. Bhaluane Petitioner

Shri S.P. Kulkarni Advocate for the Petitioners

Versus

Union of India & Ors Respondent

Shri V.M. Bendre Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. M.Y. PRIOULKAR, MEMBER (A).

The Hon'ble Mr. —

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? No
3. Whether their Lordships wish to see the fair copy of the Judgement ? No
4. Whether it needs to be circulated to other Benches of the Tribunal ? No

mbm*

(M.Y. PRIOULKAR)
M(A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY.

Original Application No.69/92.

Shri S.M.Brahmane.

... Applicant.

V/s.

The Union of India & Ors.

... Respondents.

Coram: Hon'ble Shri M.Y.Priolkar, Member(A).

Appearances:-

Applicant by Shri S.P.Kulkarni.
Respondents by Shri V.M.Bendre.

Oral Judgment:-

(Per Shri M.Y.Priolkar, Member(A)) Dated: 22.1.1992.

The applicant who is in occupation of a departmental quarter in the Posts & Telegraphs Colony at Santacruz, Bombay was found to have sublet the quarter unauthorisedly. Consequently proceedings were initiated against him which resulted in an eviction order by the Estate Officer.

2. Although the prayer in this original application was for quashing the eviction proceedings on the ground of certain irregularities having been committed while conducting the proceedings, the learned counsel for the applicant today submitted that he is not questioning now the eviction order but that in view of certain personal pressing difficulties of the applicant, namely, the impending examinations of his school going children who are studying in the nearby school and also of his daughter who is staying with him and has delivered a baby only on 13.1.1992, the applicant may be permitted to continue in the quarters only for a period of three months or so. He has also offered to give an undertaking that he will positively vacate the quarter on any date fixed by the Tribunal.

3. The learned counsel for the respondents had no

(4)

objection to concede the prayer of the applicant for retention of the quarter for a further period of three months or so provided he would definitely vacate the quarters on the due date as decided by the Tribunal.

4. In these circumstances, the respondents are directed to permit the applicant to continue in his present quarter till 30th April, 1992 by which date the applicant should definitely hand over the vacant possession of the quarter to the respondents without any conditions. The applicant will be charged rent during this period including damage rent in accordance with the rules. It is also made clear that if the applicant fails to vacate the quarter by 30th April, 1992 in spite of this undertaking given before the Tribunal, he will render himself liable to be proceeded against for Contempt of Tribunal. This application is finally disposed of with the above directions. No order as to costs.

(M.Y.PRIOLKAR)
MEMBER (A).

B.S.M.